

AIR QUALITY PERMIT

Issued To: Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

Permit: #3871-00
Application Complete: 8/9/06
Preliminary Determination Issued: 9/7/06
Department's Decision Issued: 9/25/06
Permit Final:
AFS #: 777-3871

An air quality permit, with conditions, is hereby granted to Nelcon, Inc. (Nelcon) pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

SECTION I: Permitted Facilities

A. Permitted Equipment:

Nelcon will operate a portable wash plant at various locations throughout Montana. This permit allows Nelcon to operate a trap feeder (700 tons/hour (TPH)), wash plant (100 TPH), conveyors, and a 150 kilowatt (kW) diesel generator. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

B. Plant Location:

Nelcon will operate a portable wash plant initially located in the SE ¼ of Section 35, Township 30 North, Range 21 West in Flathead County, Montana. Permit #3871-00 applies while operating at any location in Montana, except those areas having a Department of Environmental Quality (Department) approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for PM₁₀ nonattainment areas.

Addendum #1 applies to the Nelcon facility while operating at any location in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location: Section 35, Township 30 North, Range 21 West, in Flathead County, Montana.

SECTION II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from any Standard of Performance for New Stationary Source (NSPS) affected equipment, such as screens or conveyor transfers, shall not exhibit an opacity of 10% or greater averaged over 6-consecutive minutes (ARM 17.8.340 and 40 CFR, Subpart OOO).
2. All visible emissions from any non-NSPS affected equipment shall not exhibit an opacity of 20% or greater averaged over 6-consecutive minutes (ARM 17.8.304).

3. Nelcon shall not cause or authorize to be discharged into the atmosphere from any street, road or parking lot any visible fugitive emissions that exhibit an opacity of 20% or greater (ARM 17.8.308 and ARM 17.8.752).
4. Water and spray bars shall be available on site at all times and operated as necessary to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).
5. Wash plant production is limited to 876,000 tons during any rolling 12-month time period (ARM 17.8.749).
6. Nelcon shall not operate more than one diesel engine at any given time and the maximum rated design capacity of the generator shall not exceed 150 kilowatts (kw) (ARM 17.8.749).
7. If the permitted equipment is used in conjunction with any other equipment owned or operated by Nelcon, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels, shall be approved by the Department (ARM 17.8.749).
8. Nelcon shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures as specified in 40 CFR 60.675 must be performed on all NSPS affected equipment to demonstrate compliance with the emission limitations contained in Section II.A.1 and II.A.2 (ARM 17.8.340 and 40 CFR 60, General Provisions and Subpart OOO).
2. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures manual (ARM 17.8.106).
3. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this wash plant is moved to another location, an Intent to Transfer form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).

2. Nelcon shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Nelcon shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to startup or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(l)(d) (ARM 17.8.745).
4. Nelcon shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. The records compiled in accordance with this permit shall be maintained by Nelcon as a permanent business record for at least 5 years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).

D. Notification

Nelcon shall provide the Department with written notification of the actual start-up date of the new portable wash plant within 30 days after the actual start-up date (ARM 17.8.749).

SECTION III: General Conditions

- A. Inspection – Nelcon shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver – The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Nelcon fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Nelcon of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq.* (ARM 17.8.756)
- D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq.*, MCA.

- E. Appeals – Any person or persons jointly or severally adversely affected by the Department’s decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department’s decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Nelcon may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement – Construction must be begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Nelcon shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department-approved permitting program.

Permit Analysis
Nelcon, Inc.
Permit # 3871-00

I. Introduction/Process Description

A. Permitted Equipment:

Nelcon, Inc. (Nelcon) owns and operates a portable wash plant consisting of the following equipment:

- Trap feeder (up to 700 tons per hour (TPH))
- Wash plant (100 TPH)
- 150 kW diesel engine
- Other associated equipment

B. Source Description:

Nelcon proposes to use this wash plant and associated equipment to wash aggregate for use in various construction operations. For a typical operation setup, materials are loaded into the feeder, conveyed to the wash plant, separated and conveyed to stockpile for sale and use in construction operations.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department of Environmental Quality (Department). Upon request, the Department will provide references for location of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Nelcon shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 – Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Nelcon must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and reasonable precautions must be taken to control emissions of airborne particulate matter. (2) Under this rule, Nelcon shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.

7. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, NSPS, shall comply with the standards and provisions of 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants, that indicates NSPS requirements apply to crushing facilities with capacities greater than 150 TPH and crushing facilities constructed after August 31, 1983. Nelcon has a capacity in excess of 150 TPH and was constructed after August 31, 1983; therefore, NSPS requirements apply to the facility.
- D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:
1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Nelcon submitted the appropriate permit application fee for the current permit action.
 2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.
- An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.
- E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
 2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Nelcon has a PTE greater than 15 tons per year of particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀), particulate matter (PM), and oxides of nitrogen (NO_x); therefore, an air quality permit is required.
 3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.

4. ARM 17.8.745 Montana Air Quality Permits--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior to installation, alteration, or use of a source. Nelcon submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Nelcon submitted an affidavit of publication of public notice in the July 27, 2006, issue of the Daily Inter Lake, a newspaper of general circulation in Flathead County, as proof of compliance with the public notice requirements.
6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section III of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Nelcon of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).

13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year of any pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant,
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule, or
 - c. PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3871-00 for Nelcon, the following conclusions were made:
- a. The facility's PTE is less than 100 tons/year for any pollutant.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is not subject to any current NESHAP standards.
 - e. This source is not a Title IV affected source or a solid waste combustion unit.
 - f. This source is not an EPA designated Title V source.

Based on these facts, the Department has determined that Nelcon will be a minor source of emissions as defined under Title V. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Nelcon will be required to obtain a Title V Operating Permit.

III. BACT Determination

A BACT determination is required for each new or altered source. Nelcon shall install on the new or altered source the maximum air pollution control capability which is technically practicable and economically feasible, except that BACT shall be utilized.

A. Area Source Fugitive Emissions

Two types of emissions controls are readily available and used for dust suppression of fugitive emissions at Nelcon, fugitive emissions for the surrounding area of operations, and for equipment emissions from the wash plant operations. These two control methods are water and chemical dust suppressant. Chemical dust suppressant could be used on the area surrounding the operation and for emissions from the operation. However, because water is more readily available, is more cost effective, is equally effective as chemical dust suppressant, and is more environmentally friendly, water has been identified as the most appropriate method of pollution control of particulate emissions for the general plant area. In addition, water suppression has been required of recently permitted similar sources. Nelcon may, however, use chemical dust suppressant to assist in controlling particulate emissions from the surrounding plant area.

Nelcon shall not cause or authorize to be discharged into the atmosphere from any affected screens, conveyor transfers, or other NSPS-affected equipment, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes. Further, Nelcon shall not cause or authorize to be discharged into the atmosphere from any non-NSPS affected equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.

Nelcon must also take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, access roads, parking areas, and the general area of operation. Nelcon is required to have water spray bars and water available on site (at all times) and to apply the water, as necessary, to maintain compliance with the opacity and reasonable precaution limitations. Nelcon may also use chemical dust suppression, in order to maintain compliance with emission limitations in Section II.A of Permit #3871-00. The Department determined that using water spray bars, water, and chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT for the crushing/screening operation.

B. Diesel Generator

Due to the limited amount of emissions produced by the diesel engine and the lack of readily available, cost effective add-on controls; add-on controls would be cost prohibitive. Therefore, the Department determined proper operation and maintenance with no add-on controls would constitute BACT for the diesel engine.

The control options required for the proposed wash plant are comparable to other recently permitted similar sources, and are capable of achieving the appropriate emission standards.

IV. Emission Inventory

Source	Tons/Year (TPY)					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Truck Unloading (700 TPH)	0.05	0.05				
Material Transfer (700 TPH)	0.86	0.28				
Pile Forming	0	0				
Wash plant (100 TPH)	4.14	1.97				
Diesel Generator * (150 kW)	1.94	1.94	27.31	2.18	5.88	1.81
Haul Roads	12.68	3.6				
Total	19.67	7.84	27.31	2.18	5.88	1.81

Material Transfer – SCC 3-05-020-06, controlled

Truck Unloading (1)

Maximum Process Rate: 700 ton/hr
Adjusted Process Rate: 700 ton/hr
Number of Material Transfer: 1 Load
Hours of Operation: 8760 hr/day or 24.00 hr/day

PM Emissions:

Emission Factor: 0.000016 lb/ton (AP-42, Section 11.19.2-2, 8/04)
Hourly Calculations: 0.000016 lb/ton * 700 ton/hr * 1 Load = 0.01 lb/hr
Daily Calculations: 0.0112 lb/hr * 24 hr/day = 0.27 lb/day
Annual Calculations: 0.0112 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 0.05 ton/yr

PM-10 Emissions:

Emission Factor: 0.000016 lb/ton (AP-42, Section 11.19.2-2, 8/04)
Hourly Calculations: 0.000016 lb/ton * 700 ton/hr * 1 Load = 0.01 lb/hr
Daily Calculations: 0.0112 lb/hr * 24 hr/day = 0.27 lb/day
Annual Calculations: 0.0112 lb/hr * 8760 hr/yr * 0.0005 ton/lb = 0.05 ton/yr

Material Transfer (2 Material Transfer, 700 TPH)

Maximum Process Rate: 700 ton/hr
Adjusted Process Rate: 700 ton/hr
Number of Material Transfer: 2 number of Transfers
Hours of Operation: 8760 hr/day or 24.00 hr/day

PM Emissions:

Emission Factor: 0.00014 lb/ton (AP-42, Section 11.19.2-2, 8/04)
Hourly Calculations: $0.00014 \text{ lb/ton} * 700 \text{ ton/hr} * 2 \text{ number of Transfers} = 0.20 \text{ lb/hr}$
Daily Calculations: $0.196 \text{ lb/hr} * 24 \text{ hr/day} = 4.70 \text{ lb/day}$
Annual Calculations: $0.196 \text{ lb/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.86 \text{ ton/yr}$

PM-10 Emissions:

Emission Factor: 0.000046 lb/ton (AP-42, Section 11.19.2-2, 8/04)
Hourly Calculations: $0.000046 \text{ lb/ton} * 700 \text{ ton/hr} * 2 \text{ number of Transfers} = 0.06 \text{ lb/hr}$
Daily Calculations: $0.0644 \text{ lb/hr} * 24 \text{ hr/day} = 1.55 \text{ lb/day}$
Annual Calculations: $0.0644 \text{ lb/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 0.28 \text{ ton/yr}$

Wash Plant (up to 100 TPH)

Maximum Process Rate: 100 ton/hr
Adjusted Process Rate: 100 ton/hr
Hours of Operation: 8760 hr/day or 24.00 hr/day

PM Emissions:

Emission Factor: 0.0315 lb/ton (AP-42, Section 11.19.2-2, 1/95)
Control Efficiency: 70% wet material
Hourly Calculations: $0.0315 \text{ lb/ton} * 100 \text{ ton/hr} * (1-0.7) = 0.95 \text{ lb/hr}$
Daily Calculations: $0.945 \text{ lb/hr} * 24 \text{ hr/day} = 22.68 \text{ lb/day}$
Annual Calculations: $0.945 \text{ lb/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 4.14 \text{ ton/yr}$

PM-10 Emissions:

Emission Factor: 0.015 lb/ton (AP-42, Section 11.19.2-2, 1/95)
Control Efficiency: 70% wet material
Hourly Calculations: $0.015 \text{ lb/ton} * 100 \text{ ton/hr} * (1-0.7) = 0.45 \text{ lb/hr}$
Daily Calculations: $0.45 \text{ lb/hr} * 24 \text{ hr/day} = 10.80 \text{ lb/day}$
Annual Calculations: $0.45 \text{ lb/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 1.97 \text{ ton/yr}$

Engine Generator (up to 150 kw)

Generator Size	150 kW	0.5545833
1kW	1.341	
150 kW * 1.341	201.15 hp	

Hours of Operation: 8760 hr/yr or 24.00 hr/day

PM Emissions:

Emission Factor: 0.0022 lb/hp-hr (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} = .044253 \text{ lb/hr}$
Daily Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 24 \text{ hr/day} = 10.62 \text{ lb/day}$
Annual Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 1.94 \text{ ton/yr}$

PM-10 Emissions:

Emission Factor: 0.0022 lb/hp -hr (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} = .044253 \text{ lb/hr}$
Daily Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 24 \text{ hr/day} = 10.62 \text{ lb/day}$
Annual Calculations: $201 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 1.94 \text{ ton/yr}$

NO_x Emissions:

Emission Factor: 0.031 lb/hp-hr (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: $201 \text{ hp} * 0.031 \text{ lb/hp-hr} = 6.23565 \text{ lb/hr}$
Daily Calculations: $201 \text{ hp} * 0.031 \text{ lb/hp-hr} * 24 \text{ hr/day} = 149.66 \text{ lb/day}$
Annual Calculations: $201 \text{ hp} * 0.031 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} = 27.31 \text{ ton/yr}$

VOC Emissions:

Emission Factor: 0.00247 lb/hp-hr (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: 201 hp * 0.00247 lb/hp-hr = .5 lb/hr
Daily Calculations: 201 hp * 0.00247 lb/hp-hr * 24 hr/day = 11.92 lb/day
Annual Calculations: 201 hp * 0.00247 lb/hp-hr * 8760 hr/yr * 0.0005 ton/lb = 2.18 ton/yr

CO Emissions:

Emission Factor: 0.00668 lb/ton (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: 201 hp * 0.00668 lb/hp-hr = 1.343682 lb/hr
Daily Calculations: 201 hp * 0.00668 lb/hp-hr * 24 hr/day = 52.13 lb/day
Annual Calculations: 201 hp * 0.00668 lb/hp-hr * 8760 hr/yr * 0.0005 ton/lb = 9.51 ton/yr

SO_x Emissions:

Emission Factor: 0.00205 lb/ton (AP-42, Table 3.3-1, 10/96)
Hourly Calculations: 201 hp * 0.00205 lb/hp-hr = 0.4123575 lb/hr
Daily Calculations: 201 hp * 0.00205 lb/hp-hr * 24 hr/day = 9.90 lb/day
Annual Calculations: 201 hp * 0.00205 lb/hp-hr * 8760 hr/yr * 0.0005 ton/lb = 1.81 ton/yr

Haul Roads

Vehicle miles traveled: 5 VMT/day (Estimated)
Control Efficiency is included in Emission Factor

PM Emissions:

PM Emission Factor (Rated Load Capacity <50 tons): 13.90 lb/VMT

$E(\text{PM}) = (\% \text{ VMT/day})(13.90 \text{ lb/VMT})$
 $E(\text{PM}) = 69.50 \text{ lbs/day}$
 12.68 ton/yr

PM₁₀ Emissions:

PM Emission Factor (Rated Load Capacity <50 tons): 3.95 lb/VMT

$E(\text{PM}) = (\% \text{ VMT/day})(13.90 \text{ lb/VMT})$
 $E(\text{PM}) = 19.75 \text{ lbs/day}$
 3.60 ton/yr

V. Air Quality Impacts

Permit #3871-00 is issued for a portable wash plant to operate at various locations throughout Montana. This facility would be allowed to operate at this proposed site and any other areas designated as attainment or unclassified for all National Ambient Air Quality Standards (NAAQS); excluding those counties that have a Department approved permitting program, those areas considered Tribal Lands, or those areas in or within 10 km of certain PM₁₀ nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*

Addendum #1 applies to the Nelcon wash plant while operating at any location in or within 10 km of PM₁₀ nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location: SE ¼ of Section 35, Township 30 North, Range 21 West, in Flathead County, Montana.

VI. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, MCA, the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

Addendum #1
Nelcon, Inc.
Permit #3871-00

An addendum to air quality Permit #3871-00 is issued to Nelcon, Inc. (Nelcon), pursuant to Sections 75-2-204 and 75-2-211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment

Nelcon will operate a portable wash plant at various locations throughout Montana. This permit allows Nelcon to operate a trap feeder (700 tons/hour (TPH)), wash plant (100 TPH), conveyors, and a 150 kilowatt (kW) diesel generator. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

Addendum #1 applies to the Nelcon wash plant while operating at any location in or within 10 km of PM₁₀ nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department of Environmental Quality (Department) during the winter months (October 1 – March 31), including the initial site location: Section 35, Township 30 North, Range 21 West, in Flathead County, Montana.

II. Seasonal and Site Restrictions – Winter and Summer Season

Addendum #1 applies to the Nelcon wash plant while operating at any location in or within 10 km of certain PM₁₀ nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31), the only location(s) in or within 10 km of certain PM₁₀ nonattainment areas where Nelcon may operate is:
 - Section 35, Township 30 North, Range 21 West (304 Jellison Road); and
 - Any other site that may be approved, in writing, by the Department.
- B. During the summer season (April 1-September 30), Nelcon may operate at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.
- C. Nelcon shall comply with the limitations and conditions contained in Addendum #1 to Permit #3871-00. Addendum #1 shall be valid until revoked or modified. The Department reserves the authority to modify Addendum #1 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. Limitations and Conditions

- A. Operational Limitations and Conditions
 - 1. Water spray bars must be operated when necessary on all transfer points whenever the plant is operating (ARM 17.8.749).
 - 2. All visible emissions from the plant may not exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).

3. Nelcon shall not cause or authorize to be discharged into the atmosphere from equipment, such as transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
4. Nelcon shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
5. Nelcon shall treat all unpaved portions of the haul roads, access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).
6. Wash plant production is limited to 2400 tons during any rolling 24-hour time period (ARM 17.8.749).
7. Nelcon shall not operate more than one diesel engine at any given time and the maximum rated design capacity of the engine shall not exceed 150 kW (ARM 17.8.749).

B. Operational Reporting Requirements

1. Nelcon shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. Nelcon shall provide the Department with written notice of relocation of the permitted equipment within 15 working days before the physical transfer of the equipment (ARM 17.8.765).
3. Production information for the sites covered by this addendum must be submitted to the Department with the annual emission inventory request or within 30 days of completion of the project. The information must include (ARM 17.8.749):
 - a. Tons of bulk material loaded at each site;
 - b. Daily hours of operation at each site;
 - c. Gallons of diesel fuel used for the generators/engines at each site;
 - d. Fugitive dust information consisting of a listing of all plant vehicles including the following for each vehicle type:
 - i. Number of vehicles;
 - ii. Vehicle type;
 - iii. Vehicle weight, loaded;
 - iv. Vehicle weight, unloaded;
 - v. Number of tires on vehicle;
 - vi. Average trip length;
 - vii. Number of trips per day per vehicle;
 - viii. Average vehicle speed;
 - ix. Area of activity; and
 - x. Vehicle fuel usage (gasoline or diesel) annual total.

- e. Fugitive dust control for haul roads and general plant area:
 - i. Hours of operation of water trucks; and
 - ii. Application schedule for chemical dust suppressant, if applicable.
- 4. Nelcon shall document, by day, the total wash plant production. Nelcon shall sum the total wash plant production during the previous 24 hours to verify compliance with the limitation in section III.A.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum #1 Analysis
Nelcon
Permit #3871-00

I. Permitted Equipment

Nelcon (Nelcon) will operate a portable wash plant at various locations throughout Montana. This permit allows Nelcon to operate a trap feeder (700 tons/hour (TPH)), wash plant (100 TPH), conveyors, and a 150 kilowatt (kW) diesel generator. A complete list of the permitted equipment is contained in Section I.A of the Permit Analysis.

Addendum #1 applies to the Nelcon wash plant while operating at any location in or within 10 km of PM₁₀ nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location: Section 35, Township 30 North, Range 21 West, in Flathead County, Montana.

II. Source Description

Nelcon proposes to use this wash plant and associated equipment to wash aggregate for use in various construction operations. For a typical operation setup, materials are loaded into the feeder, conveyed to the wash plant, separated and conveyed to a stockpile for sale and use in construction operations.

III. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department of Environmental Quality (Department). Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

ARM 17.8, Subchapter 7 - Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

- A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Nelcon demonstrated compliance with all applicable rules and standards as required for permit issuance.
- B. ARM 17.8.764 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:

1. Written notice of Intent to Transfer location and proof of public notice are sent to the Department;
2. The source will operate in the new location for a period of less than 1 year; and
3. The source will not have any significant impact on any nonattainment area or any Class I area.

Nelcon must submit proof of compliance with the transfer and public notice requirements when Nelcon transfers to any of the locations covered by this addendum and will only be allowed to stay in the new location for a period of less than 1 year. Also, the conditions and limitations in Addendum #1 to Permit #3871-00 will prevent Nelcon from having a significant impact on PM₁₀ nonattainment areas.

IV. Emission Inventory

Source	Lb/day					
	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Truck Unloading (700 TPH)	0.27	0.27				
Material Transfer (700 TPH)	4.70	1.55				
Pile Forming	0	0				
Wash plant (100 TPH)	22.68	10.80				
Diesel Generator * (150 kW)	10.62	10.62	149.66	11.92	32.25	9.90
Haul Roads	69.5	19.75				
Total	107.77	42.99	149.66	11.92	32.25	9.90

V. Air Quality Impacts

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for PM₁₀. Due to exceedances of the national standards for PM₁₀, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM₁₀. As a result of this designation, EPA required the Department and the City-County Health Departments to submit PM₁₀ State Implementation Plans (SIP). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM₁₀ emissions.

Addendum #1 to Permit #3871-00 is for a portable wash plant located at sites in or within 10 km of certain PM₁₀ nonattainment areas during the winter season (October 1 through March 31). Winter season operations many include only the locations listed in Section II.A of Addendum #1. Addendum #1 of Permit #3871-00 would also allow for summertime operations (April 1 – September 30) at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM₁₀ nonattainment areas.

VI. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, Montana Code Annotated (MCA), the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901, Helena, MT 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

Air Quality Permit number: 3871-00

Preliminary Determination Issued: 9/7/06

Department Decision Issued: 9/25/06

Permit Final:

1. Legal Description of Site: Nelcon, Inc. would operate a portable wash plant initially located in the SE ¼ of Section 35, Township 30 North, Range 21 West in Flathead County, Montana. Permit #3871-00 would apply while operating at any location in Montana, except those areas having a Department approved permitting program, areas considered tribal lands, or areas in or within 10 km of certain PM₁₀ nonattainment areas. A Missoula County air quality permit would be required for locations within Missoula County, Montana. An addendum would be required for PM₁₀ nonattainment areas.

Addendum #1 would apply to the Nelcon facility while operating at any location in or within 10 km of a PM₁₀ nonattainment areas during the summer months (April 1 – September 30) and at sites approved by the Department during the winter months (October 1 – March 31), including the initial site location, the Section 35, Township 30 North, Range 21 West, in Flathead County, Montana.

2. Description of Project: Nelcon would operate a portable wash plant at various locations throughout Montana. This permit would allow Nelcon to operate a trap feeder (700 TPH), wash plant (100 TPH), conveyors, and a 150 kW diesel generator.
3. Objectives of Project: The objective of this project would be to produce business and revenue for Nelcon through the sale and use of aggregate. The issuance of the permit would allow Nelcon to operate the permitted equipment at various locations throughout Montana, including the proposed initial site location.
4. Alternatives Considered: In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Nelcon has demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. A Listing of Mitigation, Stipulations, and Other Controls: A list of enforceable conditions, including a BACT analysis, would be included in Permit #3871-00.

6. Regulatory Effects on Private Property: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.
7. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Terrestrial and Aquatic Life and Habitats			X			Yes
B	Water Quality, Quantity, and Distribution			X			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity, and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources			X			Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites				X		Yes
J	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL PHYSICAL AND BIOLOGICAL EFFECTS: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic life and Habitats

Impacts on terrestrials and aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor because the wash plant would be considered a minor source of emissions and would have intermittent and seasonal operations. Furthermore, the air emissions would have only minor effects on terrestrial and aquatic life because facility emissions would have good pollutant dispersion in the area of operations (see section 7.F). Therefore, only minor and temporary effects to terrestrial and aquatic life and habitat would be expected from the proposed project.

B. Water Quality, Quantity and Distribution

Water will be required for dust suppression on the surrounding roadways, at areas of operation, and pollution control for equipment operations. However, pollutant deposition and water use would cause minor impacts to water resources in these areas because the facility is small with seasonal and intermittent operations, and only a small volume of water would be used. The benefits of using water to control emissions far outweigh the potential minor impacts to the surroundings.

Water used in the wash plant will be continually recycled from three containment ponds, and then pumped back through the wash plant. As designed, the owner proposes no major loss of groundwater with only minor adverse effects to surroundings. Overall, the wash plant would have minor impacts to water quality, quantity, and distribution in the area of operation.

C. Geology and Soil Quality, Stability and Moisture

The proposed project would have minor impacts on geology, soil quality, stability, and moisture of soils. Minor impacts from deposition of air pollutants on soils would result (as described in Section 7.F of this EA) and minor amounts of water would be used for pollution control of particulate emissions. Thus, minimal water runoff would occur. Since a small amount of pollution would be generated and corresponding emissions would be widely dispersed before settling upon vegetation and surrounding soils (as described in Section 7.D of this EA), impacts would be minor. Therefore, any effects upon geology and soil quality, stability, and moisture from air pollutant emissions from equipment and operation would be minor and short-term.

D. Vegetation Cover, Quantity, and Quality

The wash plant would be considered a minor source of emissions by industrial standards and would typically operate in remote areas previously designated and used for this type of operation. The overall footprint of the facility would be small, so the affect to quantity and quality of vegetative cover in the area would be minimal. According to the Montana Natural Heritage Program (MNHP) there are many sensitive species of concern located within three miles of the site, including: Deer Indian Paintbrush, Short-styled Thistle, Maidenhair Spleenwort, Slender Cottongrass, Small Yellow Lady's Slipper, Red-root Flatsedge, Spalding's Champion, Latch Tule Pea, and some nonvascular plants. However, as proposed, this project and the location will not impact any vascular or nonvascular plants because they are located a substantial distance from the initial project boundary. In addition, water use at the facility, soil disturbance from water application, and the associated runoff would be minimal. Overall, impacts to vegetation from the project would be minor.

E. Aesthetics

Permit #3871-00 would include conditions to control emissions including visible emissions from the operation. The wash plant would be portable, would operate on an intermittent and seasonal basis, and would be considered a small industrial source.

There are three other gravel pit operations within a two mile corridor of the initial wash plant location. According to the owner, there are few houses in the area that would be disturbed by the wash plant. Therefore, any disturbance to the aesthetic value of the area would be minor.

F. Air Quality

Air quality impacts from the proposed project would be minor because the facility would be relatively small and operate on an intermittent basis. Permit #3871-00 would include conditions limiting the facility's opacity. The permit will also limit total emissions from the facility and any additional equipment operated at the site to 250 tons per year or less excluding fugitive emissions.

Further, the Department determined that the wash plant would be a minor source of emissions as defined under the Title V Operating Permit Program because the source's PTE was below the major source threshold level of 100 tons per year for any regulated pollutant. Additional pollutant deposition from the project would be minimal because the pollutants emitted would be well controlled, widely dispersed (from factors such as wind speed and wind direction), and would have minimal deposition on the surrounding area. Therefore, air quality impacts from the project in this area would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts to any unique endangered, fragile, or limited environmental resources in the initial area of operation (Section 35, Township 30 North, Range 21 West in Flathead County, Montana) contacted MNHP. Search results concluded there are vascular and nonvascular plant species (see Section 7.D of this EA) located within three miles of the facility. The search area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer. Some plants are considered a sensitive species in the area, but none of the species are located at the initial project site.

Given the fact that all species of concern will not likely be located within the initial project location and the portable nature of the wash plant, any effects would be minimal.

H. Demands on Environmental Resource of Water, Air and Energy

The proposed wash plant would require the use of water, air, and energy for the project. All the water used in the wash plant will be recycled, and only a minimal volume of water would be required for dust suppression of emissions being generated at the site. Impacts to air resources would be minor because the source is considered a minor industrial source of emissions, with intermittent and seasonal operations. Energy requirements would be relatively small, as the facility would be powered by an industrial diesel engine. Therefore, impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

The Department contacted the Montana Historical Society, State Historical Preservation Office (SHPO) in an effort to identify any historical and archaeological sites that may be present in the proposed area of construction and operation. Search results concluded that there are no previously recorded historical or archaeological resources of concern within the proposed area. According to the SHPO, there would be a low likelihood of adverse disturbance to any known archaeological or historic site. Therefore, no impacts upon historical or archaeological sites would be expected as a result of operating the proposed wash plant.

J. Cumulative and Secondary Impacts

The wash plant would cause minor cumulative or secondary impacts to the physical and biological aspects of the human environment because the equipment would generate relatively small amounts of emissions of PM, PM₁₀, (NO_x), (CO), volatile organic compounds (VOC) (including HAPs), and (SO_x). Emissions and noise generated from the equipment would, at most, result in only minor impacts to the area of operations because the plant would be relatively small, seasonal, and temporary. The proposed project would be short-term in nature, and have minor cumulative effects upon resources within the area. Overall, cumulative and secondary impacts to the physical and biological aspects of the human environment would be minor.

8. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no-action” alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A	Social Structures and Mores				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue			X			Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment			X			Yes
H	Distribution of Population				X		Yes
I	Demands for Government Services			X			Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals			X			Yes
L	Cumulative and Secondary Impacts			X			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The proposed project would not cause any disruption to the social structures and mores in the area because the source would be a minor industrial source of emissions, and would only have temporary and intermittent operations. Further, the plant would be required to operate according to the conditions placed on Permit #3871-00 that would limit the effects to social structures and mores.

B. Cultural Uniqueness and Diversity

The facility is located on private land, the footprint of the project will be minor, and predominant use of the area would remain the same. The cultural uniqueness and diversity of this area would not be impacted by the proposed project because the facility would be a portable source, with seasonal and intermittent operations. Therefore, the cultural uniqueness and diversity of the area would not be affected.

C. Local and State Tax Base and Tax Revenue

The proposed project would result in minor, if any, impacts to the local and state tax base and tax revenue because the proposed project would require few employees. As proposed, the plant will have three employees; however, employment may increase depending upon product demand and market conditions. In addition, only minor amounts of construction would be required to complete the project, and the facility would be a minor industrial source of emissions with seasonal and intermittent operations. Nelcon currently operates a smaller facility on site and the expansion of the project will not change tax base or revenue for local or State government.

D. Agricultural or Industrial Production

The proposed project would have a minor impact on local industrial production since the facility would increase aggregate production and air emissions slightly. The facility is located on private land and the mining process is currently contained to 85 acres. Because minimal deposition of air pollutants would occur on the surrounding land (as described above in Section 7.F), only minor and temporary effects on the surrounding vegetation or agricultural production would occur. In addition, the facility operations would be small and temporary in nature and would be permitted with operational conditions and limitations that would minimize impacts upon surrounding vegetation, as described in Section 7.D above. Therefore, impacts to agricultural and industrial production from the wash plant would be minor.

E. Human Health

Conditions would be incorporated into Permit #3871-00 to ensure that the wash plant would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F of this EA, the air emissions from this project would be minimized by the use of water spray. Further, the facility would operate on an intermittent and seasonal basis and only minor impacts would be expected on human health from the proposed facility.

F. Access to and Quality of Recreational and Wilderness Activities

Access to recreational opportunities will not be limited by this facility. Any recreational opportunities, if available in the area, will still be accessible. Noise from the facility would be minimal to surroundings because of the facility size, hours of operation, and location. The facility would operate on a seasonal and intermittent basis on private land and would be a minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site would be minor.

G. Quantity and Distribution of Employment

The portable wash plant would be relatively small. As proposed, Nelcon will employ few additional people so impacts to employment will be minimal. In addition, the project would have seasonal and intermittent operations. It is unlikely, that there would be any known effects upon the quantity and distribution of employment in this area.

H. Distribution of Population

The portable wash plant would be small with few employees. No individuals would be relocated to the area of operation as a result of the project, because Nelcon does not plan to hire additional employees unless the demand for aggregate increases. Therefore, the facility would not impact the normal population distribution in the area of operation or any future operating site.

I. Demands for Government Services

There would be no additional increase in traffic in the area from the proposed project. Government services would be required for acquiring the appropriate permits for the proposed project and to verify compliance with the permits that would be issued. Therefore, demands for government services would be minor due to the relatively small size and seasonal nature of the wash plant.

J. Industrial and Commercial Activity

The proposed project would represent only a minor increase in the industrial activity in the proposed area of operation because the facility would continue to be a small industrial source, portable and temporary in nature. No additional industrial or commercial activity would be expected as a result of the proposed operation. Therefore, any impacts to the industrial and commercial activity would be minor.

K. Locally Adopted Environmental Plans and Goals

Nelcon would be allowed by Permit #3871-00 to operate in areas designated by EPA as attainment or unclassified for ambient air quality. Addendum #1 outlines limitations and conditions for the wash plant located in or within 10 km of a PM₁₀ nonattainment area. Permit #3871-00 would contain opacity limits for protecting air quality and to keep facility emissions in compliance with applicable ambient air quality standards. Because the facility is small and portable, any impacts from the project would be minor and short-lived.

L. Cumulative and Secondary Impacts

Overall, the proposed project would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation because the source would continue to be portable, and the footprint of the facility would remain relatively small. Any increase in traffic would have minor effects on local traffic in the immediate area.

This facility may be operated in conjunction with other equipment owned and operated by Nelcon, but any cumulative impacts or secondary impacts would be minor and short-term. In conclusion, the source is relatively small, the facility emissions will be minimal, and the project would have only minor cumulative and secondary impacts.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis:

The current permitting action is to operate a portable wash plant. Permit #3871-00 includes conditions and limitations to ensure the facility will operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

Individuals or groups contributing to this EA: Department of Environmental Quality – Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

EA prepared by: Jenny O'Mara
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